

MEMORANDUM

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Date: May 19, 2026

Subject: **Land Use Chapter and Future Land Use Map Review**
Bonner County Comprehensive Plan Update

Bonner County Comprehensive Plan – Land Use Review Memorandum

1. OVERVIEW

On behalf of Project 7B, Kimley-Horn conducted a focused planning review of the Draft Land Use Chapter and Future Land Use Map associated with the Bonner County Comprehensive Plan update. Serving as a third-party reviewer, Kimley-Horn provides planning insight and best practices for consideration by Bonner County. This effort is not a comprehensive audit of all documents or code sections, but rather a high-level review intended to identify key opportunities, gaps, and areas for refinement.

The purpose of this review is to evaluate whether the draft framework provides clear, consistent, and defensible policy direction for future land use decisions. Specifically, the analysis considers whether the Land Use Chapter and Future Land Use Map establish meaningful distinctions between land use categories, align development patterns with infrastructure and environmental constraints, and provide a sound basis for zoning decisions under Idaho law. The adopted Implementation Chapter was referenced as context but was not evaluated for revision.

Bonner County is experiencing growth driven by recreation and tourism, rural lifestyle migration, proximity to natural amenities, and increased remote work opportunities. These trends are contributing to rising demand for rural residential, recreational, and resort-related development. At the same time, community priorities remain focused on preserving rural character, agricultural lands, lake and watershed health, and public safety, including wildfire resilience.

This review identifies key themes and recommendations intended to strengthen the Comprehensive Plan prior to adoption and support informed decision-making by the Bonner County Board of County Commissioners and Planning and Zoning Commission.

Planning Review Methodology

This planning memo focuses on specific areas to inform the directive and analysis:

Component	Focus
Draft Land Use Chapter	Clarity and differentiation of land use categories
Future Land Use Map	Consistency with infrastructure and environmental constraints
Zoning Interface	Translation of land use chapter with Title 12 of the Bonner County Code

Relevant sections of the Bonner County Zoning Code were reviewed, including Title 12 density standards and zoning district descriptions; a full audit of Title 12 was not completed.

Community and Stakeholder Concerns

For context purposes in this memo, various public meetings and stakeholder discussions related to the Comprehensive Plan update have highlighted several recurring concerns.

Community Concern	Summary
Rural character	Desire to avoid suburban-style development in rural areas
Water resources	Groundwater availability and lake water quality
Wildfire safety	Evacuation constraints and WUI development
Agricultural lands	Maintaining agricultural viability
Resort development	Scale and intensity of development near Schweitzer, Priest Lake, and other County resort amenities

2. ANALYSIS FINDINGS & RECOMMENDATIONS

A. Analysis Findings

Overall, the Draft Land Use Chapter provides a strong foundation but would benefit from greater clarity, specificity, and alignment with implementation tools. Several key themes emerged:

- **Policy Clarity:** Current goals and policies often use noncommittal language (e.g., “consider”), creating ambiguity in how policies will be applied and limiting their effectiveness in guiding decisions.
- **Land Use Designations:** Several designations lack clear distinctions, with overlapping development potential and limited guidance on density and infrastructure expectations.
- **Suburban Growth and Areas of Impact (AOI):** The plan does not fully integrate recent state legislation or provide a coordinated strategy for growth near city boundaries, creating risk of inefficient suburban development patterns and limiting future annexation opportunities.
- **Environmental and Hazard Integration:** Key factors such as groundwater availability, wildfire risk, steep slopes, and watershed protection are not consistently reflected in land use policies or development expectations.
- **Preservation Framework:** While preservation is a core theme, the plan lacks clear direction on how natural, cultural, and scenic resources will be protected, and does not fully utilize available implementation tools.
- **Nonconforming Development Patterns:** Establish a clear policy for nonconforming properties that acknowledges existing “grandfathered” uses and structures while guiding reinvestment and preventing incompatible development. Consider a targeted nonconforming overlay, rather than broad redesignation of future land use (e.g., rural residential to recreational community as proposed), to maintain planned land use while addressing existing conditions.

B. Recommendations

To strengthen the Comprehensive Plan and improve long-term outcomes, the following actions are recommended:

- **Clarify Land Use Designations:** Define density ranges, development patterns, and infrastructure expectations for each designation to improve consistency and implementation.

- **Establish a Coordinated AOI Strategy:** Integrate a clear approach to Areas of Impact that aligns growth with available services, supports housing diversity, and preserves long-term annexation opportunities.
- **Align Growth with Infrastructure:** Ensure higher-intensity development is directed to areas with adequate water, sewer, and transportation capacity.
- **Integrate Environmental Constraints:** Incorporate groundwater, wildfire risk, slope, and watershed considerations into land use designations and policies.
- **Strengthen Preservation Tools:** Expand policies to include protective implementation mechanisms such as conservation easements, land trusts, and targeted incentives.
- **Address Nonconformities:** Establish a clear policy framework for nonconforming properties, structures, and uses by implementing a Nonconforming Overlay that inventories and maps affected parcels, defines reinvestment parameters, and guides their transition over time. This approach allows the City to align with future land use goals while maintaining existing land use designations, avoiding broad redesignations (e.g., from rural residential to recreational community, see Figure 1 below illustrating transition) that can trigger large-scale rezones of potentially incompatible uses or result in spot zoning.

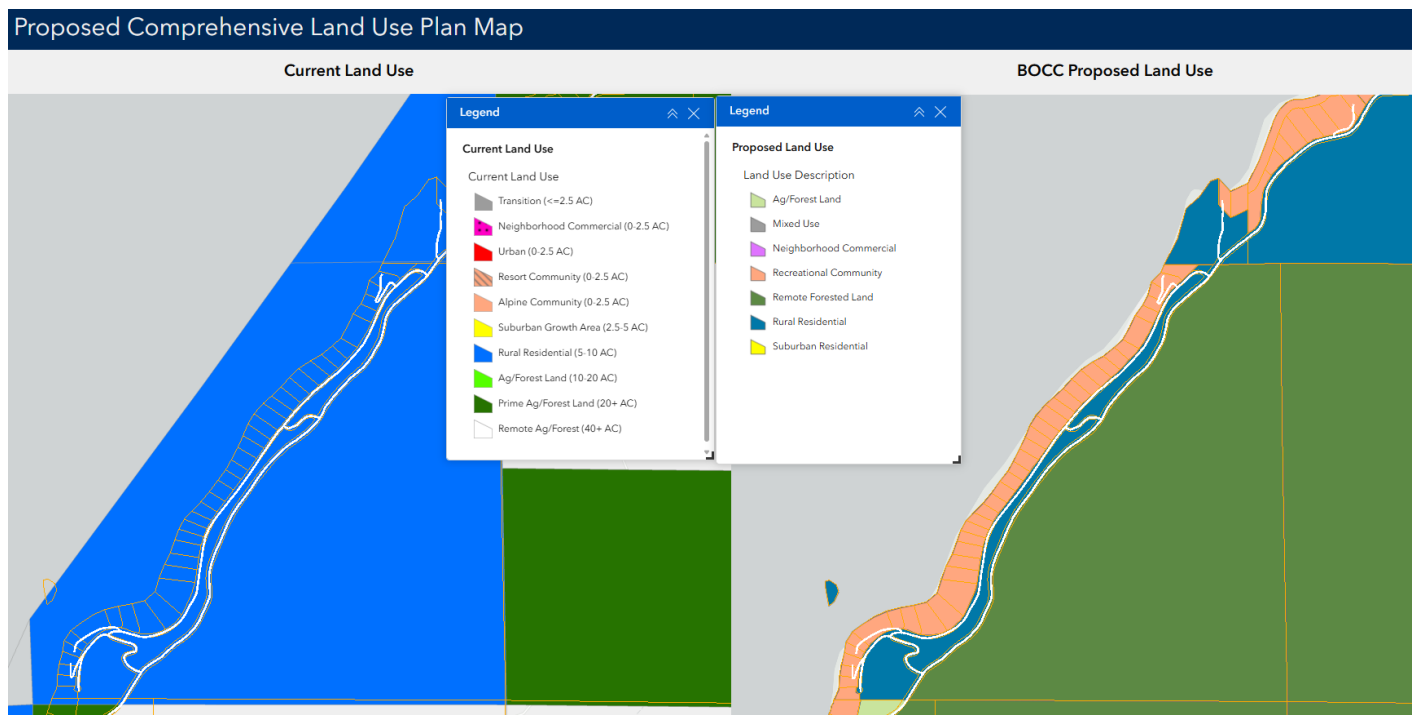


Figure 1: Current and Proposed Land Use Map Changes Illustrating Redesignation from Rural Residential to Recreational Community

The Draft Land Use Chapter provides a stable starting point, but refinement is needed to ensure it functions as a clear, actionable, and legally defensible framework. Implementing these recommendations will improve the County's ability to manage growth, protect critical resources, and support coordinated development patterns that reflect community priorities.

The County could establish a Nonconforming Overlay District (Legacy Overlay) to identify and manage areas with a concentration of legally nonconforming lots, structures, or uses. The overlay shall not change underlying land use designations but shall provide standards for reinvestment, expansion, and transition over time.

Peer County Review: Nonconforming Land Use Tools

Ada County, ID – Uses multiple overlay districts layered on base zoning to apply additional standards without changing underlying land use designations (e.g., environmental, hazard, and compatibility overlays).

Valley County, ID – Applies compatibility-based review standards in rural areas to manage development patterns without widespread rezoning.

Clackamas County, OR – Uses mapped exception areas and rural transition areas to recognize existing development patterns while maintaining resource land designations.

Deschutes County, OR – Implements rural and resort overlay systems that manage legacy and nonconforming development patterns through layered standards rather than base map changes.

Douglas County, WA – Uses Limited Areas of More Intensive Rural Development designations to formally recognize and manage established nonconforming rural development clusters.

3. COMPREHENSIVE PLAN LAND USE CHAPTER DRAFT

The draft Land Use Chapter presents several high-level findings, summarized here by theme. Overall, the chapter reflects a noncommittal tone, with goals and policies frequently using terms such as “consider,” which can leave ambiguity about how thoroughly the County intends to study or implement these actions. As many know, the State of Idaho requires essential components as authorized by the Local Land Use Planning Act (LLUPA) to guide community growth over a longer period of time. A comprehensive plan acts as a guiding document to inform zoning and development regulations as well as land use decisions such as rezones.

Preservation and Natural Amenities

A recurring issue is the need to balance protection of private property rights and value with community objectives, including safety, impacts to fiscal health, welfare, and environmental stewardship. Compared to the 2005 Comprehensive Plan, the draft lacks clarity in descriptions and references for the importance of specific land uses, as well as guidance for preserving natural amenities, agricultural lands, and other critical resources. Strengthened language linking land use policies to preservation and conservation tools—such as voluntary conservation easements, land trusts, and other programs—would improve alignment with County preservation priorities.

Nonconformities

The draft chapter does not clearly address properties, structures, or uses that do not meet current standards. There is an opportunity to identify these properties, explain how they will be treated, and incorporate that approach into the Land Use Chapter and maps. This will help prevent incompatible development while still respecting existing property rights.

The current draft appears to address nonconformities by redesignating some rural residential areas to recreational communities. However, this approach may unintentionally allow more intense development, rather than simply recognizing existing nonconforming conditions.

Instead, consider establishing a nonconforming overlay. This would clearly acknowledge that some properties do not meet current standards but will remain designated as rural

residential. It would also clarify that existing “grandfathered” structures or uses can continue, without opening the door to broader changes in land use intensity.

Area of Impact (AOI) and Suburban Development

Recent legislation (SB 1403, 2024) requires closer coordination between counties and cities for Areas of Impact (AOI), including a tiered approach to annexation within two miles of city limits. As the lead agency for establishing AOIs, the County is well positioned to take a proactive, long-term role by coordinating with cities and developing interlocal agreements—regardless of whether a city has a formally adopted AOI—to guide growth, infrastructure, and service planning in the best interest of both incorporated and unincorporated Bonner County.

Recommendation is to establish and actively implement AOIs through coordinated, long-term partnerships with cities, including interlocal agreements to guide annexation, growth, and service provision within the two-mile area. Use this framework to align development with available infrastructure, support appropriate densities, and prevent landlocking of cities, ensuring future growth options for both incorporated and unincorporated areas of Bonner County.

Clarity in Land Use Designations

Several designations overlap in development potential and lack clear provisions regarding densities and infrastructure requirements. Clarifying the distinctions between land use categories and tying them directly to rezoning and amendment procedures will improve defensibility and provide more predictable development outcomes. See Section 4 for further analysis.

Hazard Mitigation and Environmental Protection

Critical factors such as groundwater availability, wildfire risk, steep slopes, and watershed protection are not consistently integrated into the current land use framework. Incorporating these hazards, along with conservation measures, into the mapping and regulatory framework would strengthen the County’s long-term planning efforts, preserve rural character, and protect natural resources.

Summary of Key Recommendations

Implementing these recommendations (clarifying densities, aligning suburban and urban development with municipal services, integrating nonconformities, preserving critical environmental resources, and strengthening hazard considerations) will enhance the clarity, consistency, and defensibility of the Comprehensive Plan while supporting effective regulation and growth management.

4. PROPOSED FUTURE LAND USE DESIGNATIONS (FLU)

In Chapter 4, proposed Land Use designations are intended to describe the desired long-term character, development pattern, and mix of uses within the County, rather than simply reflecting existing conditions. These designations establish a forward-looking policy framework that guides how land should evolve over time, including the scale, intensity, and type of development that is appropriate in different areas.

The FLU map and associated designations serve as the foundation for zoning implementation, dictating the range and type of zoning districts that may be applied to a given property. In this way, the

comprehensive plan establishes the baseline approach to land use and development intensity, while zoning regulations provide the more detailed standards and implementation tools.

In practice, many rural counties organize FLU designations around generalized density ranges and development patterns, often expressed through a combination of acreage-based rural densities and unit-per-acre ranges in more developed areas. For context, an example framework is illustrated below in

Table 1.

Table 1: Example Land Use Categories with Associated Densities

FLU Category	Example Density Range
Agricultural / Resource	1 unit per 20–40 acres
Rural Residential	1 unit per 2–10 acres
Resort / Recreational	1 unit per 0.5–5 acres (often conditional)
Suburban Residential	1–4 dwelling units per acre

A critical factor influencing these ranges, particularly in rural and resort/recreational community contexts, is the availability of infrastructure. Across Idaho and Bonner County, the presence or absence of centralized water and sewer systems is the primary determinant of allowable density, with higher intensities generally limited to areas where such services are available or can be feasibly provided.

As illustrated in **Figure 1: 2005 Comprehensive Plan Proposed Land Use Matrix**, previous planning efforts have established a general framework for land use distribution; however, additional clarity is needed to better define how density and intensity are applied across designations.

Specifically, the use of broad or qualitative terms in the comprehensive plan—such as:

- “Higher density”
- “Suburban residential density”
- “Low-impact commercial services”
- “Primary transportation route” – either clarify or reference to standards

This can be done in table (similar to the framework above) setting ranges and target densities to correlate to the zones. This helps avoid ambiguity in interpretation and translates more directly to implementation. To improve consistency and predictability, these terms should be clearly defined or supported by associated density ranges and development expectations. This may include establishing:

- Numeric density ranges (e.g., dwelling units per acre or minimum lot sizes)
- Descriptions of typical building form and scale
- Guidance on the intensity and impact of allowed non-residential uses

Providing this level of detail will strengthen the connection between the comprehensive plan and development regulations, ensuring that future zoning decisions and development outcomes are aligned with the County’s long-term vision, particularly in areas experiencing growth pressures related to recreation and resort development. For context, the 2005 plan considered density ranges as seen in **Figure 2 below**.

Other general comments:

- As this draft moves forward towards adoption, the ‘proposed’ should become ‘future land use designations.’ This was not changed on previous comprehensive plans.
- Clarity in the change within the narrative of the Land Use Chapter with the removal of Rural-10, a subsequent zone removal in Title 12 is required to occur after this Land Use Element adoption

BONNER COUNTY PROPOSED LAND USE MATRIX - Criteria

DESIGNATION	DENSITY	SERVICES	TRANSPORTATION	SLOPE	USE
Transition	0-2.5 acres	Urban	1	0-10%	Commercial/Industrial/Mix
Neighborhood Commercial	0-2.5 acres	Urban	1	0-10%	Rural/Commercial/Mix
Urban Growth Area	0-2.5 acres	Urban/Partial	1	0-10%	Higher density residential
Resort Community	0-2.5	Urban	1	0-10%	Waterfront residential/recreation
Alpine Community	0-2.5 acres	Urban	1-3	N/A	Recreation/Residential/Mix
Suburban Growth Area	1-5 acres	Individual	2	0-15%	Residential & associated uses
Rural Residential	5-10 acres	Individual	3	0-30%	Rural/small-acreage farms/residential
Ag/Forest Land	10-20 acres	Individual	3-4	≥30%	Ag/residential/forest land
Prime Forest/Ag Land	≥20 acres	Individual	2-4	0-30%	Prime Ag/forest land
Remote Forest/Ag Land	≥40 acres	Individual	5	≥30%	Remote forest/Ag land

General transportation criteria:

- 1: Hard-surfaced road. (Major/minor collector - frontage road, U.S. highway, principal arterial.) (Higher density residential needs hard-surfaced road, but not necessarily highway/frontage. etc.) Public right-of-way.
- 2: Public right-of-way; paved
- 3: Public right-of-way, paved or gravel/private easement, International Fire Code standard
- 4: USFS, DOL or private road systems adjoining county or state public transportation systems.
- 5: Roadless, primitive, trail system or unimproved.

Figure 2: 2005 Comprehensive Plan Proposed Land Use Matrix

Table 2. (below) compares the future land use designations and provides recommendations and opportunities relative to the proposed changes from the 2005 Comprehensive Plan to the proposed 2026 draft.

Table 2: Land Use Designation Comparison from 2005 to 2026

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
Transition: The Transition classification is reserved for those areas of the County where a mixture of land uses can occur which may include higher density residential uses, commercial, industrial and light industrial uses. Due to the intensity of land use, these areas require primary	Mixed-Use: This classification is for areas where a combination of higher-density residential, commercial, industrial, and light industrial land uses can coexist. Uses require adequate water and sewer services (as determined by relevant agencies such as IDEQ, PHD, IDWR), public safety services, and primary transportation systems such as	• Suburban • Commercial • Industrial • Rural • Service Center • Recreation

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
transportation routes, urban-like water and sewer services, fire, and police services.	the state highways or major/minor collector roads.	
Comments: It is uncommon for counties to use a true mixed-use future land use designation. Instead, most rely on a “multiple use” designation that allows a combination of residential, commercial, and limited industrial uses. While this functions similarly to mixed use, it does not reflect the more integrated, urban-style development typically associated with city mixed-use designations. Counties often allow light industrial uses within these areas, subject to specific standards and review criteria in the development code. However, including heavy industrial uses within a mixed or multiple use designation is not typical and may create land use conflicts. These higher intensity uses should be considered for separation. This could be addressed by establishing a distinct heavy industry and mining designation (removing mining from forestry combination), while grouping lower intensity uses such as light industrial and forestry/timber into separate, more compatible categories. Finally, the proposed language should clearly define the applicability and parameters for where this designation is appropriate to ensure consistent and predictable implementation.		
Neighborhood Commercial: The Neighborhood Commercial area is designed to provide light commercial uses to serve the needs of the rural communities and tourist trade without adversely affecting residential neighborhoods. Urban services and primary transportation systems, such as the state highways or major/minor collector roads are required.	Neighborhood Commercial: Designed to provide low-impact commercial services to rural communities and tourists without adversely affecting residential neighborhoods. These areas require adequate water and sewer services (as determined by relevant agencies such as IDEQ, PHD, IDWR), and access to primary transportation systems such as state highways or major/minor collector roads.	- Commercial - Rural Service Center - Recreation
Comments: The applicability of the neighborhood commercial designation should be clearly defined. In Bonner County, this designation should emphasize serving the daily needs of the local community and nearby rural residents, rather than functioning primarily as a tourist or destination-oriented retail area. Positioning it as community-serving first will help guide appropriate use and scale. In addition, the plan should clarify what is meant by “low-impact” or “small-scale” development. This is typically defined through factors such as building and lot size, trip generation, and the potential for regional draw (e.g., avoiding big-box or high-traffic uses). Consider also how development integrates with surrounding residential areas, including walkability, connectivity, and access for nearby residents.		
Recreation: The Recreation classification is intended to allow for	Recreational Community: Allows for urban densities in areas centered on recreational	Alpine

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
urban residential densities in remote and scenic areas of the County centered around winter sports, lakes and rivers. If seasonal recreation areas can be developed without requiring year-round public services, the cost to taxpayers of servicing these remote areas can be minimized. Alpine Community: The Alpine Community is established to recognize the challenges of higher density development in higher elevations of Bonner County generally above 3,500 feet elevation, where urban services are provided, but a range of road types developed in mountainous conditions serve the area. Specific design standards to address steeper slopes and heavy snowfall will govern these areas	facilities for winter sports, water sports, golf, hiking, and other activities, where adequate water and sewer services (as determined by relevant agencies such as IDEQ, PHD, IDWR) are provided. These areas provide adequate access to primary transportation systems such as state highways or major/minor collector roads.	• Rural • Service Center • Recreation
Comments: Future land use designations are intended to be broad and should not include the level of detail found in zoning regulations. That said, even with the consolidation of Alpine and Recreation designations, Bonner County's recreational areas have distinct characteristics that warrant differentiation. For example, Schweitzer Mountain Resort faces different development pressures and infrastructure needs than Priest Lake. The comprehensive plan should acknowledge differences by describing key characteristics across recreational areas at a high level. At a minimum, future land use designations should account for environmental and physical constraints such as shoreline protection, slope, wildfire risk, and critical habitat. The County should incorporate policies addressing lake protection, public access, steep slope development, and wildfire interface best practices. Higher elevation and steeper areas, particularly within Alpine Community areas, should also include direction for more specific design and development standards. While there is increasing pressure in recreational communities to allow smaller lots than historically developed, the comprehensive plan should clearly establish expectations for overall development patterns, densities, and character. A key organizing principle should be infrastructure-based land use intensity. Policies should direct that higher-density development is only appropriate where adequate sewer, water, and road infrastructure exist. In areas without such services, low-density rural development patterns should be maintained.		

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
The County should also consider preparing a subarea plan for Priest Lake, which is not currently identified in the Rural Character subarea planning framework (Appendix B), despite its unique conditions and growth pressures. Finally, the land use chapter should address how to manage nonconforming uses, structures, and lots within these designations. The current draft does not provide guidance on this issue, and clearer direction will be important to support reinvestment and ensure consistent application of regulations countywide.		
Suburban Growth Area: The Suburban Growth Area is located on the edges of the incorporated cities or higher density developed communities or areas, where urban sewer and water services may not be available or are not likely to be extended. Access to primary transportation routes and a system of hard- surfaced roads are expected. Urban Growth Areas: The Urban Growth Areas are designed to recognize the historic developments of communities and neighborhoods which are served by either urban water or sewer services or are located within the fringes of incorporated cities where such services have or can be extended to serve these areas. These areas are general level to moderately slopes and serve by a network of primary transportation systems.	Suburban Residential: Primarily located on the outskirts of incorporated cities or higher-density communities, and areas where urban services may not be available. Requires access to primary transportation routes and a system of paved roads.	Suburban
Comments: Suburban residential areas are identified on the future land use map, generally located along the outskirts of incorporated cities. However, recent legislation in Idaho related to Areas of Impact (AOI) creates potential challenges for Bonner County if suburban development is allowed to expand around city limits without coordinated, long-term planning. Rather than removing references to Urban Growth Areas, and AOI, the comprehensive plan should clearly articulate the County's intent for land use within and around these areas. This includes establishing a coordinated approach with cities to guide growth over the next 10–20 years, particularly as it relates to infrastructure availability and service provision. Without this level of coordination and policy direction, the plan risks overlooking the importance of strategically planning for suburban development adjacent to all incorporated cities in the County.		

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
Rural Residential: The Rural Residential area provides for residential development in areas where urban services are not available and slopes may vary up to 30%. These areas include hazard areas and critical wildlife habitats, where lower densities reduce potential impacts to resources and exposures to loss of property or lives. Small-scale agricultural uses and residential development are permitted.	Rural Residential: Provides for residential development in areas to promote rural character and pursuits. Urban services are typically not available. Soil and topography are conducive to individual or small-scale septic systems, as determined by the Panhandle Health Department or Idaho Department of Environmental Quality. These areas may also include agricultural protection areas per Idaho Code 67-97. Residential, small-scale agricultural, and forestry uses are permitted. Low-impact recreation and commercial uses may be conditionally permitted if compatible with neighboring uses and wastewater treatment is feasible. Commercial uses may be conditionally permitted if shown to be compatible with the neighboring uses. These areas are characterized by an existing road infrastructure adequate to serve this level of density and may already be developed to or near one single-family dwelling unit per 5 acres. Rural residential development is acceptable in areas with multiple access routes that meet fire safety road standards and adequate water for fire suppression, as determined by the authority having jurisdiction. These areas are appropriate nearer to populated areas so as to optimize the cost-effectiveness of providing county services and infrastructure.	Rural-5
Comments: The Rural Residential designation notes densities near one unit per 5 acres, reflecting current development and Rural-5 zoning. With the removal of Rural 10, it is recommended there is criteria within the comprehensive plan amendment process with decisions in Ag land transition to Rural-5. Development should be guided by infrastructure capacity and environmental constraints, with clustering options referenced. The County should also clearly define the conditions—such as buffers, road improvements, and wildfire mitigation—that may be required when considering density increases. In tandem, the County should address nonconforming properties through a Nonconforming Overlay that inventories and maps affected areas and establishes clear reinvestment standards. This coordinated approach ensures that existing nonconformities are managed consistently and aligned with infrastructure		

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
and environmental limitations—without necessitating changes to underlying land use designations that could lead to broad rezones or spot zoning.		
Ag/Forest Land: The Ag/Forest Land designation recognizes areas where steeper slopes prevail (30% or greater) and transportation is provided by private roads or U.S. Forest Service or state roads. Urban services are not available and residential development challenges are present due to slope, poor soil conditions, hazard areas and lack of police or fire services.	Ag/Forest: The purpose of this land use designation is to protect, preserve, and maintain areas that are rural in character and the integrity of forest/woodland areas where viable agricultural is feasible and to avoid fragmentation of forests and farms. These areas are suitable for agricultural and forestry pursuits, including livestock production, horticulture, floriculture, viticulture and accessory uses for treating, storing, and processing agricultural products. Non-agricultural uses should be limited to those compatible with agriculture. These areas may include hazardous areas and critical wildlife habitats. Lower densities are maintained to reduce potential impacts on agriculture resources, natural resources, and exposure to property damage or loss of life, and maintain parcel sizes of 10 acres or greater. These areas may contain prime agricultural soils or soils where agricultural and forestry remain viable. These areas may include agricultural protection areas per Idaho Code 67-97. Allowable parcel density is related to adequate access to nearby minor collector roads and the existence of substandard road systems or where large tracts of land may be devoted to ag/forest production. Residential uses are generally limited to low densities to support these primary uses, protect the county's water quality and wildlife populations, reduce the financial burden on the county, and to	
Prime Ag/Forest Land: The prime agricultural/forest land is designed to preserve the productive farm and ranch land and timber land to promote its important economic and environmental contributions to the County. This area may have a range of road systems serving it and is generally served by individual sewer and water systems. These areas generally have prime agricultural land soils and soils of recognized state importance and active farm and ranch operations.		• Ag/Forest 10 • Ag/Forest 20

2005 Designation	2026 Proposed Designation	Applicable Zones: Title 12
	minimize vulnerability to hazards, such as wildfires and flooding.	
Comment: It is recommended to provide clarification on the different types of agricultural and forest lands, even if they are consolidated under a single designation. Doing so helps ensure a direct correlation between the Future Land Use designation and the corresponding zoning and development code requirements.		
Remote Ag/Forest Land: The remote Ag/forest land is located on mountaintops and remote areas of the County where few or no access roads have been constructed. Included in these areas are most of the state and federal lands, which are managed for forest production or recreation.	Remote Ag/Forested Land: Encompasses remote areas of the county. These lands are typically remote, held and managed by Federal/State agencies, or private entities. These areas may include agricultural protection areas according to the Idaho Code 67-97. Residential uses are few and access roads are limited.	Forestry
No Comment		

Content Source: Modified Land Use PowerPoint Presentation from Bonner County website combined with 4.22.25 Draft Land Use Recommended Update

5. IMPLEMENTATION CHAPTER REVIEW

The following table summarizes the highest-priority actions identified to align the draft Land Use Chapter and Future Land Use Map with the adopted Comprehensive Plan goals and policies. These actions focus on areas where gaps exist between policy intent and current draft provisions, including density management, natural resource protection, hazard mitigation, and coordination with municipal services. Implementing these actions will help ensure the Land Use Chapter provides clear, consistent, and defensible guidance for future land use decisions in Bonner County.

Table 3: Identified Priority relative to adopted Goal/Policy impacting Land Use Chapter and Mapping

Priority Action	Policy / Goal Reference	Recommended Land Use Chapter Action	Mapping / Density Implication
1. Tie FLU designations to densities and rezoning	Land Use Policy 6	Explicitly define density ranges for each designation and require that rezoning follows these density standards	See previous 2005 densities, future land use should establish a rough range of densities that translates to associated zoning
Referenced Policy/Goal: <i>Land Use Policy 6:</i> Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.			
2. Preserve natural resources and open space	Land Use Policy 8, Natural Resources Policy 2	Incorporate clustering, conservation easements, and open space preservation incentives	Identify critical conservation lands on map; designate open space areas for clustering and wildlife protection

Priority Action	Policy / Goal Reference	Recommended Land Use Chapter Action	Mapping / Density Implication
<u>Referenced Policy/Goal:</u> <i>Land Use Policy 8:</i> Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve. <i>Natural Resources Policy 2:</i> Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.			
3. Integrate wildfire and hazard mitigation	Land Use Policy 12; Hazardous Areas Policies 2–7	Apply WUI zones, lower-density standards on steep slopes/floodplains, and integrate evacuation planning	Map wildfire risk, floodways, and steep slopes; restrict density and ensure access/egress
<u>Referenced Policy/Goal:</u> <i>Land Use Policy 12:</i> Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code. <i>Hazardous Areas Policy 2:</i> Discourage residential, commercial or industrial development within floodways. <i>Hazardous Areas Policy 3:</i> Discourage fill within the floodplain. <i>Hazardous Areas Policy 4:</i> Integrate the county's wildland fire policies and plans into development standards. <i>Hazardous Areas Policy 5:</i> Identify and discourage developments on excessive slopes with lower density zoning in these areas. <i>Hazardous Areas Policy 6:</i> Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas. <i>Hazardous Areas Policy 7:</i> Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.			
4. Align suburban/urban growth with AOI and city services	Land Use Policy 11; SB 1403 (2024)	Concentrate higher-density or suburban-scale development in incorporated areas or coordinated AOIs; limit suburban density outside service areas	Map AOI boundaries and service areas; designate suburban densities only where municipal services exist, work on coordinated interlocal agreements since county is the lead agency
<u>Referenced Policy/Goal:</u>			

Priority Action	Policy / Goal Reference	Recommended Land Use Chapter Action	Mapping / Density Implication
<i>Land Use Policy 11:</i> Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.			
5. Protect nonconforming properties and prevent spot zoning	Land Use Policy 13	Include a nonconforming layer in the LU map; maintain compatibility with surrounding uses	Identify grandfathered parcels; prevent incompatible densities or uses, potential for overlay versus redesignation and rezoning from rural residential to recreational community
Referenced Policy/Goal: <i>Land Use Policy 13:</i> The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.			
6. Tie development approvals to infrastructure and public service capacity	Public Services Policies 1,4–6; School Facilities Policies 2 & 5	Require developments to demonstrate adequate water, sewer, roads, fire, school, and other services; mitigation required if lacking	Map service areas; adjust allowable densities to match capacity; include developer mitigation requirements and coordinate code updates and capacity for development
Referenced Policy/Goal: <i>Public Services, Facilities and Utilities Policy 1:</i> Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity. <i>Public Services, Facilities and Utilities Policy 4:</i> New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider. <i>Public Services, Facilities and Utilities Policy 5:</i> Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development. <i>Public Services, Facilities and Utilities Policy 6:</i> Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses. <i>School Facilities and Transportation Policy 2.</i> Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals			

Priority Action	Policy / Goal Reference	Recommended Land Use Chapter Action	Mapping / Density Implication
<i>School Facilities and Transportation Policy 5.</i> Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.			
7. Support small-scale economic and recreation development while minimizing impacts	Economic Development Policies 1,3,5,7	Identify areas for cottage industries, home occupations, recreation-supportive businesses, and workforce housing; establish performance standards	Map small-scale commercial/recreation areas; limit intensity to protect surrounding neighborhoods and resources
Referenced Policy/Goal: <i>Economic Development Policy 1.</i> Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business. <i>Economic Development Policy 3.</i> Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment. <i>Economic Development Policy 5.</i> Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards. <i>Economic Development Policy 7.</i> Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.			

6. TRANSLATING LAND USE CHAPTER OF COMPREHENSIVE PLAN RELATIVE TO TITLE 12 LAND USE REGULATIONS:

This section evaluates key provisions of Title 12 to bringing to the forefront of discussion how the Land Use Chapter affects gaps within the regulatory standards—such as zoning districts, subdivision provisions, density incentives, and overlay controls—and the County’s desired future land use patterns, development intensity, and resource management priorities. This is not an exhaustive review or a full code audit. Some key areas of interest include the following sections.

Key Takeaways from Table 4

- Strengthen approval criteria for plan amendments and zone changes**
 Amend Subchapter 2.1 to require explicit findings demonstrating consistency with Comprehensive Plan preservation policies (Section 3.3), including avoidance or minimization of impacts to natural, cultural, and ecosystem resources, verification of adequate public facilities without degrading environmental quality, and submission of site-specific resource analysis to inform decision-making and conditions of approval.

- **Improve alignment between zoning decisions and Comprehensive Plan policies**
Strengthen Subchapter 2.1 approval criteria to explicitly require consistency with preservation and development policies (Section 3.3) and Future Land Use designations when considering zone changes and amendments.
- **Expand and utilize overlay districts for sensitive areas**
Build on existing overlay tools (Chapter 5) to establish resource-specific overlays (e.g., shoreline, habitat, wildfire, scenic), providing targeted development standards where most needed.
- **Modernize Nonconforming Use Provisions to Support Strategic Reinvestment**
Revise Subchapter 3.4 (12-340(D)) to clearly recognize existing nonconforming uses and establish a structured framework that allows limited redevelopment, expansion, or modification where consistent with the Comprehensive Plan and surrounding context, while preventing inappropriate increases in intensity or expansion of incompatible impacts. Include clear standards to guide when nonconforming uses may continue, improve, or transition over time.
- **Strengthen and refocus density bonus provisions**
Revise Section 12-637 and PUD standards (12-256) to tie density bonuses directly to measurable preservation outcomes (e.g., wetlands, wildlife habitat, shoreline buffers, scenic corridors), replacing the current “encouragement” language with clear thresholds or requirements. Or remove density bonuses entirely and require standards for development types, such as PUD or clustering.
- **Clarify open space standards (passive vs. active)**
Amend Section 12-636 and PUD provisions to distinguish between passive open space (resource protection) and active recreation (amenities) and require a minimum proportion of preserved natural areas in applicable districts.
- **Integrate wildlife and habitat protection into subdivision design**
Expand Section 12-741 to require site analysis of key habitat areas and wildfire best practices, ensuring subdivision layout and open space placement support wildlife corridors and ecosystem function.

Table 4: Bonner County Code Title 12 Relationship to Comprehensive Plan Land Use Chapter Draft

Code Section	Topic	Current Approach	Gap / Issue	LU Chapter Alignment	Recommended Action
Sub chpt. 2.1	Plan Amendments & Zone Changes	Includes criteria for facilities, impacts, and comp plan consistency	Could strengthen linkage to preservation policies	Requires consistency with FLU and policies	Add explicit criteria requiring consistency with preservation goals and hazards/natural resource protection **See sample code language redline
Sub chpt. 3.2 / Chapter 5	Overlay Districts	Includes Airport, Wellhead, and placeholder for Area of Impact	Limited use of overlays for natural resource protection; nonconforming	Supports targeted protection of sensitive areas	Expand use of overlays for habitat, shoreline, wildfire, or scenic resources

Code Section	Topic	Current Approach	Gap / Issue	LU Chapter Alignment	Recommended Action
			overlay concept underutilized		
Sub chpt. 3.4 (12-340(D))	Nonconforming Uses and Structures	Restricts expansion or continuation of nonconforming uses	Limits flexibility for redevelopment; does not support strategic reinvestment	Plan suggests updating outdated patterns and improving development outcomes	Revise to allow redevelopment or modification where consistent with FLU (potentially an overlay) and preservation goals **See sample code language redline
Sub chpt. 2.1	Plan Amendments & Zone Changes	Includes criteria for facilities, impacts, and comp plan consistency	Could strengthen linkage to preservation policies	Requires consistency with FLU and policies	Add explicit criteria requiring consistency with preservation goals and natural resource protection
12-741	Wildlife Protection (New Subdivisions)	Provides general wildlife protection standards	Limited integration with subdivision design and open space planning	Calls for protection of habitat and ecosystem functions	Integrate wildlife protection into subdivision layout standards and require identification of key habitat areas during review **See sample code language redline
12-635	Conservation Subdivisions (A/F-10, Rural)	Allows clustering and common open space	Does not require protection of unique natural, cultural, or ecosystem features	Emphasizes preservation of irreplaceable resources	Require identification and preservation of priority features (habitat, cultural sites, scenic areas) within open space
12-634	Conservation Subdivisions (A/F-20)	Similar to A/F-10 with large lot context	Same lack of targeted preservation standards	Supports long-term resource protection	Strengthen standards to prioritize conservation of high-value lands, not just residual open space
12-636	Conservation Subdivisions (Suburban,	Allows open space and clustering	No distinction between passive and active	Encourages preservation alongside	Define and require balance of passive (resource protection)

Code Section	Topic	Current Approach	Gap / Issue	LU Chapter Alignment	Recommended Action
	Recreation, Alpine Village)		recreation; lacks resource-specific protections	recreational use	vs. active (amenities) open space
12-633	General Standards for Conservation Subdivisions	Provides overall framework for conservation design	Broad and flexible; lacks specificity for preservation priorities	Calls for intentional preservation outcomes	Establish clear criteria for what constitutes protected open space (e.g., wetlands, habitat, scenic resources)
12-637	Density Bonuses for Conservation Subdivisions	Incentivizes clustering and open space; encourages wetlands/floodplain protection	“Encourages” but does not require preservation; does not address broader ecosystem or cultural resources	Supports preservation of natural systems and critical areas	Suggestion is to remove bonus criteria and require as part of clustering the protection of priority environmental and cultural features
12-256	Planned Unit Development (PUDs)	Complex process and requirements, bonus densities for access and amenities, open space may include vegetation, recreation, historic/cultural features, scenic areas;	Complex bonus system; incentives may not align with preservation priorities. Does county use or need PUDs?	Supports preservation and public access where appropriate	Simplify bonus structure and prioritize preservation-driven incentives over general amenities, consider applicability of PUDs versus standards of approval, permitted uses, conditional uses or restricted uses and require good design of open space and access versus optional and performance based

The following section provides examples of sample code language, redlining and striking existing Bonner County Code, showcasing some areas that could be improved to better align with the

1. Sample Code Language Example: Title 12 Land Use Regulations Subchapter 2.1 – Title Amendments, Comprehensive Plan Amendments and Zone Changes

12-216: EVALUATION OF AMENDMENT PROPOSALS:

Staff and the Governing Bodies shall review the particular facts and circumstances of each proposal submitted and shall determine whether there is adequate evidence that the proposal ~~is not in conflict with~~ is consistent with and supports the policies of the comprehensive plan, as found in the adopted Implementation Component.

In addition, the review shall include consideration of the following criteria:

- A. Consistency with the Comprehensive Plan, including applicable goals, policies, and future land use designations;
- B. Compatibility with surrounding land uses and whether the proposed amendment is more appropriate than the existing designation;
- C. Impacts to the character of the area, including natural features, hazards, and identification of measures to avoid or mitigate adverse impacts;
- D. Availability and adequacy of public facilities and services, including but not limited to water, sewer, transportation, schools, fire, and emergency services, to support the proposed amendment and associated densities;
- E. Impacts on public services and facilities and whether the proposal will result in significant additional demand;
- F. Demonstration that the amendment allows for reasonable use of the property while respecting private property rights;
- G. Consistency with any applicable development agreements or intergovernmental agreements, if relevant.
- H. Removal and redesignation or rezoning of land from the Agricultural designation shall be limited to properties that:
 - a. No longer function as viable agricultural land;
 - b. Will not fragment or negatively impact adjacent agricultural operations;
 - c. Reflect existing development patterns or mapped nonconformities; and
 - d. Can be served by adequate infrastructure and access

Based on this evaluation, the decision-making body may approve, deny, or approve with conditions necessary to ensure compliance with the comprehensive plan, mitigate identified impacts, and ensure the availability of adequate public facilities and services.

~~For~~In addition to the criteria A-G above, zone change proposals,~~the request~~ shall be evaluated for ~~compliance with the requested zone within~~ against chapter 12 subchapter 3.2 or as hereafter amended.

2. Sample Code Language Example: Title 12 Land Use Regulations Subchapter 3.4 – Nonconforming Uses and Structures – suggested new code section 12-347

12-347: NONCONFORMING (LEGACY) OVERLAY DISTRICT

- A. Purpose. The purpose of the Nonconforming (Legacy) Overlay is to:
 - 1. Recognize areas, parcels, structures, or uses that were lawfully established but do not conform to current standards;
 - 2. Maintain the underlying zoning designation while acknowledging existing conditions;
 - 3. Allow continuation of nonconformities without encouraging increased intensity of development; and

4. Provide a clear, mapped framework for long-term transition to conformity where appropriate.
 - B. Applicability. The Overlay shall apply to properties identified on the Official Zoning Map.
 1. The underlying zoning district remains in effect unless specifically modified by this Section.
 2. Relationship to Underlying Zoning
 3. Where conflicts occur, this Section controls.
 4. All other standards of this Title apply unless modified herein.
 - C. Continuation of Nonconformities.
 1. Lawful nonconforming uses and structures may continue subject to Sections 12-341 through 12-346.
 2. Designation within the Overlay does not expand development rights beyond those otherwise allowed by this Title.
 - D. Limitations on Expansion and Intensification
 1. Expansion of nonconforming uses or structures shall remain subject to Section 12-341.
 2. No expansion shall result in:
 - i. Increased density beyond what existed at the time of designation;
 - ii. Increased intensity of use; or
 - iii. Expansion onto new land area not previously developed.
 - E. Map Identification

The County shall maintain an inventory and map of properties within the Overlay, which may be updated periodically.

3. Sample Code Language Example: Title 12 Land Use Regulations Subchapter 7.4 – Wildlife

12-740: PURPOSE:

The purpose of this subchapter is to provide measures to protect and maintain wildlife and fisheries habitat, while also considering wildfire risk and safe evacuation in the wildland-urban interface (WUI), including integrating these factors into land division and site design.

12-741: WILDLIFE PROTECTION STANDARDS FOR NEW SUBDIVISIONS:

A. Site Analysis Required.

As part of the subdivision application, applicants shall provide a site analysis that identifies and maps key site features, including but not limited to wildlife habitat areas (such as corridors, migration routes, and riparian areas), vegetation conditions, wildfire risk areas, and evacuation constraints, using the best available data and agency input. Wildlife mitigation measures may be required in new subdivisions based on input from the Idaho Department of Fish and Game or U.S. Fish and Wildlife Service, including, but not limited to:

1. Requiring applicants to cluster residential lots per the conservation subdivision standards set forth in chapter 6, subchapter 6.3 of this title to maximize the common open space area in a manner that protects identified habitat areas, reduces wildfire risk, and in a way that minimizes impacts to wildlife corridors/areas.
2. –Requiring increased or additional vegetation conservation areas and/or building setbacks, wildlife corridors, open space or other features, where applicable, to protect critical wildlife

habitat, while incorporating defensible space and fuel reduction strategies consistent with WUI best practices.

3.

B. Subdivision Design.

Subdivision layout, including lot configuration, road placement, and open space designation, shall be designed to:

1. Avoid or minimize impacts to identified habitat areas and maintain connectivity between wildlife corridors to the extent practicable;
2. Reduce wildfire risk through site design, vegetation management, and separation of structures; and
3. Provide safe and adequate emergency access and evacuation routes, minimizing dead-end roads and ensuring connectivity where feasible.

7. CONCLUSION

The Bonner County Comprehensive Plan update provides an important opportunity to establish a clear framework for guiding future growth while protecting the county's rural character and environmental resources.

Strengthening the relationship between the Future Land Use Map, policy language, land use designations, and zoning implementation will improve predictability, consistency, and defensibility in land use decision-making. Addressing the recommendations outlined in this memorandum would improve the Comprehensive Plan's ability to guide future development in a manner consistent with community values.

We are happy to provide any further insight or conversation to follow up to this memo and concerns.

Sincerely,



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